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Date: September 12, 2003

Docket No.: 2644-0105P



MS PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☐ continuation ☒ divisional
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. **09/444,449** filed on **November 22,**
1999, the entire contents of which are hereby incorporated by
reference,
by

J.V. Barbera ALACREU

for

DORSOLUMBAR AND LUMBOSACRAL VERTEBRAL FIXATION SYSTEM

1. ☒ Enclosed is an application consisting of specification,
claims, declaration and drawings/photographs (if
applicable).
2. ☒ The filing fee has been calculated as follows:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$750.00	\$375.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	21-20 =	1	x 18 = \$0.00	x 9 = \$9.00
INDEPENDENT CLAIMS	2-3 =	0	x 84 = \$0.00	x 42 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00
		TOTAL	\$0.00	\$384.00

3. ☒ A check in the amount of **\$384.00** to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. ☒ Enclosed is/are nine (9) sheet(s) of formal drawings and/or photographs.
- 6a. ☐ A statement claiming small entity status was filed in prior Application No. 09/444,449 on _____. See the attached copy of the statement claiming small entity status.
- 6b. ☒ The current application qualifies for small entity status.
7. ☒ The prior application is assigned to Jose Vicente Barbera Alacreu; Jose J. Aparici Marin; and Jose Ramon Bilbao Ortiz De Zarate.
8. ☒ A Preliminary Amendment is enclosed.
- 9a. ☐ Priority of Application No(s). _____ filed in _____ on _____ is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on _____.
- 9b. ☐ Priority of International Appln. _____ filed on _____ under the Patent Cooperation Treaty and _____.

Application No. _____ filed in _____ on _____ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.

10. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
11. ☒ Address all future communications to:

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Falls Church, VA 22040-0747
(703) 205-8000

or
Customer No. 02292
12. ☒ An extension of time for five (5) month(s) until September 12, 2003 has been submitted in parent Application No. 09/444,449 in order to establish co-pendency with the present application.
13. ☐ Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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KM/PCL/cl
2644-0105P

Attachment(s)

(Rev. 07/303)